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6 Attorney for Joshua Lee Parkhurst
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8 UNITED STATES DISTRICT COURT

9 DISTRICT OF NEVADA

10 UNITED STATES OF AMERICA,

11 Plaintiff,

12 v.

13 JOSHUA LEE PARKHURST,

14 Defendant.
15

Case No. 2:14-cr-00164-GMN-CWH

**STIPULATION TO EXTEND THE
DEADLINE FOR FILING A
SUPPLEMENT AND RESPONSE
TO SUPPLEMENT**

(Second Request)

16 The United States of America, by Assistant United States Attorney
17 Elizabeth Olson White, and Defendant Joshua Lee Parkhurst, by Assistant Federal Public
18 Defender Nisha Brooks-Whittington, submit the following Stipulation to extend the deadline
19 for filing a Supplement to Defendant's Motion to Reconsider and Response to Supplement to
20 Defendant's Motion to Reconsider as set forth in this Court's Minute Order dated July 6, 2016.
21 *See* ECF No. 39.

22 The parties agree and stipulate to the following:

23 1. On May 19, 2016, Defendant, Joshua Lee Parkhurst ("Mr. Parkhurst") filed a
24 *pro se* Motion for Order Nunc Pro Tunc ("motion"). ECF No. 33. On June 22, 2016, this Court
25 denied Mr. Parkhurst's motion. ECF No. 36.
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1 2. On July 5, 2016, Mr. Parkhurst filed a *pro se* Motion to Reconsider (“Motion to
2 Reconsider”) and Motion for Appointment of Counsel. ECF Nos. 37, 38. On July 6, 2016, this
3 Court granted Mr. Parkhurst’s Motion for Appointment and appointed the Federal Public
4 Defender’s Office (“FPD”) to represent him. ECF No. 39. This Court further ordered that the
5 FPD file a Supplement to Mr. Parkhurst’s Motion to Reconsider by Friday, July 29, 2016, and
6 that the government shall file a Response to the Motion to Reconsider by August 12, 2016. *Id.*

7 3. Undersigned counsel reviewed Mr. Parkhurst’s file and made several requests
8 regarding his incarceration history. Thereafter, counsel submitted a letter and exhibits to the
9 Bureau of Prisons (“BOP”) regarding Mr. Parkhurst’s request for credit of approximately 294
10 days that he served in official detention prior to the date of his sentence.

11 4. Because the BOP had not completed their review of Mr. Parkhurst’s request by
12 July 29, 2016, the date for filing a supplement, the parties filed a stipulation to continue the
13 deadlines in the Court’s Order. ECF No. 40. Counsel contacted the BOP again on Monday,
14 August 1, 2016 regarding the matter and was informed that it is still reviewing
15 Mr. Parkhurst’s request.

16 5. Counsel is still waiting for the BOP to make a final decision regarding
17 Mr. Parkhurst’s request and therefore seeks an extension to file the Supplement to his Motion
18 to Reconsider and for the government to file its Response to the Motion to Reconsider.

19 6. For the reasons stated above, the parties respectfully request that the Court issue
20 an order extending the deadline for filing a Supplement to Mr. Parkhurst’s Motion to

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1 Reconsider to Wednesday, August 17, 2016, and for the government's filing a Response to
2 Motion to Reconsider to Wednesday, August 31, 2016.

3 DATED this 3rd day of August, 2016.

4 Respectfully submitted,

5 RENE L. VALLADARES
Federal Public Defender

DANIEL G. BOGDEN
United States Attorney

6 */s/ Nisha Brooks-Whittington*

/s/ Elizabeth O. White

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NISHA BROOKS-WHITTINGTON
Assistant Federal Public Defender

ELIZABETH O. WHITE
Appellate Chief and
Assistant United States Attorney

1 UNITED STATES DISTRICT COURT

2 DISTRICT OF NEVADA

3 UNITED STATES OF AMERICA,

Case No. 2:14-cr-00164-GMN-CWH

4 Plaintiff,

ORDER

5 v.

6 JOSHUA LEE PARKHURST,

7 Defendant.

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10 Based on the Stipulation of counsel and good cause appearing,

11 IT IS THEREFORE ORDERED that the deadline for filing a supplement to
12 Mr. Parkhurst's Motion to Reconsider be extended to Wednesday, August 17, 2016.

13 IT IS FURTHER ORDERED that the deadline for the Government to file a response to
14 Mr. Parkhurst's Motion to Reconsider be extended to Wednesday, August 31, 2016.

15 IT IS FURTHER ORDERED that First Stipulation for Extension of Time (ECF No. 40)
16 is DENIED as moot.

17 DATED this 4th of August, 2016.

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20 UNITED STATES DISTRICT JUDGE
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